

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BILLY BOY REAL ESTATE LLC, : CIVIL ACTION
BILLY BOY CONTRACTING LLC, :
EDDIE HENDRICK :


V.

**UPPER MERION TOWNSHIP, UPPER
MERION TOWNSHIP BOARD OF
SUPERVISORS, TINA GARZILLO,
WILLIAM JENAWAY, GREG WAKS,
GREG PHILIPS, CAROLE KENNEY,
ANTHONY HAMADAY**

ORDER

AND NOW, this 30th day of April 2025, upon studying Defendants’ Motion for summary judgment (ECF 24), Plaintiffs’ timely Opposition (ECF 27), and for reasons in a forthcoming Memorandum (issuing Order today consistent with Rule 1 mindful counsel may be preparing pretrial filings) detailing the lack of adduced evidence creating a genuine issue of material fact allowing a jury to consider issues on the equal protection and due process claims, finding no basis to exercise supplemental jurisdiction over the remaining two state law claims, and for good cause, it is **ORDERED** Defendants’ Motion (ECF 24) is **GRANTED** requiring we:

1. **Dismiss** the federal due process and equal protection claims with prejudice;
2. **Dismiss** the state law abuse of process and tortious interference claims without prejudice to be timely pursued in state court if warranted; and,
3. **Direct** the Clerk of Court **CLOSE** this case.


KEARNEY, J.